

REMARKS

The present Application is a RCE. Claims 1, 2, 5-7, 9, 12-15, and 18-25 are pending in the present Application.

Examiner had rejected claims 1, 2, 8, 9, 12, 13, 15, 18, 21-23, and 25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,470,329 to Livschitz ("Livschitz") in view of U.S. Patent No. 7,133,963 to Gilfix et al. ("Gilfix"). Examiner had observed that Livschitz does not describe the generation of a first hash pursuant to a first hash technique of a first computational intensity and upon a determination of an out of match condition between mobile-copy database values and network-copy database values, the generation of a second hash pursuant to a second hash technique of a second computational intensity. Therefore, Gilfix had been introduced to ostensibly teach this missing element. Gilfix, however, is not available as prior art because Gilfix has a priority date of December 3, 2003. The present Application was filed on February 10, 2004, less than one year after the Gilfix priority date. Applicants have included herewith a declaration under 37 C.F.R. § 1.131 demonstrating possession of the claimed invention before the Gilfix priority date. Accordingly, not every element of Applicants' claimed invention has been disclosed by Livschitz and claims 1, 2, 8, 9, 12, 13, 15, 18, 21-23, and 25 are believed allowable.

Examiner had rejected claims 5-7 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Livschitz and Gilfix and further in view of U.S. Patent No. 5,809,494 to Nguyen. Examiner also had rejected claims 14, 19, and 20 under 35 U.S.C. § 103(a) as being unpatentable over

Livschitz and Gilfix and further in view of U.S. Patent No. 5,684,990 to Boothby. Claims 5-7, 14, 19, 20, and 24 are dependent upon presumed allowable independent claims and, as such, are themselves presumed allowable.

In light of Applicants' declaration under 37 C.F.R. §1.131 and the foregoing remarks, Applicants believe all of the pending claims to be allowable. Examiner is respectfully urged to withdraw the claims rejection, reconsider the present Application, and pass the present Application to allowance.

Respectfully submitted,

/ Robert H. Kelly /

Robert H. Kelly
Registration No. 33,922

KELLY & KRAUSE, L. P.
6600 LBJ Freeway, Suite 275
Dallas, Texas 75240
Telephone: (214) 446-6684
Fax: (214) 446-6692